

recommendation. The Court finds that the magistrate judge's conclusion and recommendation are neither clearly erroneous nor contrary to law.

For the reasons given, the Court hereby **ADOPTS** the magistrate judge's report and recommendation, (Dkt. 17), as the opinion of the Court. Defendant's Motion to Dismiss for Failure to State a Claim, (Dkt. 6), is **GRANTED**. Plaintiff's claims are **DISMISSED WITHOUT PREJUDICE**.

SIGNED on July 23, 2018.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE